

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

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NORTHERN

DIVISION

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

JOANNY HUGHLEY,

Plaintiff,

VS.

ALABAMA DEPARTMENT OF
CORRECTIONS, et. al.,
Defendants.

CASE NO.: 2:18-CV-578-
MHT-GMB.
DEMAND FOR JURY TRIAL

SECOND
AMENDED COMPLAINT

1. Plaintiff herein is a resident and citizen of Opelika, Alabama.

2. Defendant state of Alabama is a state territory in the United States Union.

3. Defendant Alabama Department of Corrections is a corporation doing business in the state of Alabama.

4. Defendant Alabama State Bar Association is a foreign corporation doing business in Alabama.

5. Defendant United States Bureau of Prisons is a foreign corporation doing business in Alabama.

6. Defendant John A. Tinney is a resident of Prichard, Alabama.

7. Defendant Fred Gray, Sr. is a resident of Tuskegee, Alabama.

8. Defendant Lee County, Alabama is a Corporation doing business in Opelika, Alabama.

9. Defendant C.S. Whittlesey is a resident of Opelika, Alabama.

10. Defendant Mike D. Cook (deceased), Lanett, AL.

STATE OF CLAIM(S)

11. That the Plaintiff claim on or about May 15, 1986, he filed a Civil Action against Motors Insurance Corporation, Royal Automobile, Columbus, INC, And Tony CoCos (Case NO.: CV-86-58; Circuit Court of Macon County, Alabama).

12. The Plaintiff's avers that on or about October 16, 1987 That Defendant, State of Alabama caused him to be illegally detained in a Chambers County Jail (and state prison), against his free will, in violation of The 13th Amendment of The United States Constitution;

a) the facts will show proof that the defendant held Plaintiff against his Free will, and;

b) that the Plaintiff was never Convicted nor did the Plaintiff admit Guilt (as charged in the indictment); and,

c) that the defendant held the Plaintiff as a slave inmate up to and including enough time to allow him to lose a place, business, address, and settlements.

14. The Facts will show that Defendant Alabama Department of Correction held the Plaintiff falsely imprisoned, against his free will, slaved the Plaintiff, hard labor, and denied Plaintiff Access to Court, whereby the Plaintiff was held illegally detained and forced labored upon the Plaintiff utilizing a fraudulent document.

The records will show that Mr. Haskins never admitted Guilt, nor did the State prove he was Guilty of Rape, ~~the~~ And the defendant was fully aware that the document was illegally obtained, and continued to hold Plaintiff falsely imprisoned under inmate number A.Z.S. # 150512 (State of Alabama). The Defendant was able to make money off the Plaintiff false imprisonment and slavery, in violation of the 13th Amendment And Color of Law.

5. The facts and records will show that Defendants John A. Tinney, Gred Gray, Sr., C. S. Whittelsey, and Mike D. Cook, conspired to and defrauded the Plaintiff out of his settlement funds (see paragraph eleventh (ii) in support herein) and;

a) That the facts will show that the Plaintiff provided the defendants' each, and on every occasions with the same transcripts, transcripts that a Court utilized when it ruled that the Plaintiff conviction for Rape Second should be set aside, and;

b). that the facts will show proof that the other attorneys was hired by John A. Tinney. And that at no time did the defendants give him any money from the settlement, as the defendant was fully aware that the Plaintiff was held illegally, and in prison against his will. and;

c) the Plaintiff did not learn of the fraud perpetrated upon him until May, 2018, before the Macan County, Alabama Court Hearing.

16. The Facts of this case will show that defendant Alabama State Bar Association intended to and defrauded the Plaintiff out of insurance funds that members used to cover, when he requested reimbursement for bad conducted whereas he was ~~defrauded~~ defrauded out of A settlement.

17. That the facts will show that Defendant United States Bureau of Prisons benefit off or and utilized a illegally obtained conviction and caused hard labor upon the Plaintiff, when the defendants was made fully aware that said information was in violation of Plaintiff's Constitutional Rights.

18. That the facts will further show that defendant Lee Guntll, Alabama (Sheriff Major, Captain majors) did in fact commit knowingly Perjury testimony to obtain an indictment of the Plaintiff when in fact he knew that Mt. Sillinary Baptist Church was false (cc-2011-685)

in violation of The Color of Law. see: Andrews vs. Scullin (0:15-cv-03393) Tird (3rd) Circuit of Appeals, (2017) (Same).

19. The records will show proof that the Defendant State of Alabama utilized the fraudulent Conviction to enhance a sentence and obtained Conviction in cases number CC-90-1989 (Lee County Circuit Court) and CR-98-97-E, (middle district of Ala.) and indictment for failure to register.

20. The Plaintiff would state that as a result of Defendants' Action he was illegally detained, discriminated against, loss benefits, and suffered Public embarrassment.

21. The Plaintiff would also state that defendants ~~defendant~~ Fraud is defined by Code of Alabama, Section 6-5-101 and 6-5-103 and 6-5-104; and Plaintiff would state that the Defendants' violation of Plaintiff 13th Amendment and 14th Amendment Claims is A violation of the Color of Law and in violation of Title 18, United States Code, Section 242.

Clearly, The Plaintiff was Continued held and seized by the defendants in violation of his 4th, 8th, 13, and 14th Amendment Rights of the U.S. Constitution. And Denied EQUAL Protection by the Courts whereas he Sought and filed numerous Petition on State/Federal level,

arguing the Exact Same claims of innocent, on every occasions the records will Show.

22. The Plaintiff Claims Punitive damages of All defendants, and to be fully Compensated (with loss and interest), and to be Compensated for the defendants, defrauded him out of in Civil ~~Action~~ Action CV-86-58, Macon County, Alabama.

The Plaintiff is also Claiming Punitive damages of All defendants, which will be decided by A Jury. ~~Panel~~

DONE This the 1st day of The Lord, October, 2018.

Respectfully Submitted,

Pursuant to Rule 15(c), Fed. R. Civ. Proc.,

Johnny Hushley
Plaintiff

Johnny Hushley
1412 South Long St. lot # 6
Doraville, AL 36801
Phone #: 334-663-3600

The Plaintiff Demands Trial by A Struck Jury.

John Hushley
Johnny Hushley

I Johnny Hushley, being first duly Sworn
On oath according to law, disposes and says that
he has read the foregoing Amended Rule 15(c),
Fed. R. Civ. Proc. Complaint and that the
matters stated therein are True to the best
of his knowledge.

Date: 10-01-2018

John Hushley
Johnny Hushley

Subscribed and Sworn to before me on
this the 1st day of the Lord,
October, 2018

Willie Mae Lilly
~~Willie Mae Lilly~~
NOTARY PUBLIC

MY Commission Expires: 5-23-2020

